

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HAJRO OMEROVIC,

2:12-CV-697 JCM (PAL)

Plaintiff,

V.

COUNTRYWIDE KB HOME LOANS,
LLC, et al.,

Defendants.

ORDER

Presently before the court is defendants Countrywide KB Home Loans, LLC, et. al.'s motion to dismiss complaint. (Doc. #7). Plaintiff Hajro Omerovic failed to file an opposition. On June 11, 2012, defendants filed a notice of non-opposition to the motion to dismiss.

19 The property at issue in this case is located at 10439 Wildflower Gully St., Las Vegas,
20 Nevada. (Doc. #1, Ex. 1). The property purchase was secured by a deed of trust in the amount of
21 \$252,090.00. (Doc. #8, Ex. A). Defendant ReconTrust recorded a notice of default on November
22 19, 2010. (Doc. #8, Ex. B). A notice of trustee's sale was recorded on October 3, 2011. (Doc. #8,
23 Ex. E). The property was sold at a foreclosure sale on December 12, 2011. (Doc. #8, Ex. F).

24 Pursuant to Nevada Local Rule 7-2(d), “the failure of an opposing party to file points and
25 authorities in response to any motion shall constitute a consent to the granting of the motion.”
26 However, the court will not automatically grant every unopposed motion. In *Ghazali v. Moran*, 46
27 F.3d 52, 53 (9th Cir. 1995), the Ninth Circuit held that the court had to weigh the following factors

1 before dismissing the action: (1) the public's interest in expeditious resolution of litigation; (2) the
2 court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy
3 favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.

4 Plaintiff failed to oppose the motion to dismiss, and the court further finds that the *Ghazali*
5 factors weigh in favor of dismissing the action. *Ghazali*, 46 F.3d at 53; *see also* LR 7-2(d).

6 Accordingly,

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendants Countrywide
8 KB Home Loans, LLC, et. al.'s motion to dismiss complaint (doc. #7) be, and the same hereby is,
9 GRANTED.

10 DATED June 12, 2012.

11 
12 UNITED STATES DISTRICT JUDGE

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